

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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JUAN CARLOS INTERIANO, Individually, and JUAN :  
CARLOS INTERIANO, as assignee of ALL-BORO :  
REHAB CONSTRUCTION CORP., ALL BORO :  
GROUP, LLC, and ALL-BORO CONSTRUCTION :  
GROUP, INC., :

Plaintiffs,

-against-

ARCH SPECIALTY INSURANCE COMPANY,

Defendant.  
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Case No.: 23-cv-00238-PKC-AYS

**NOTICE OF MOTION TO DISMISS  
PLAINTIFFS' COMPLAINT**

**PLEASE TAKE NOTICE** that, upon the accompanying Declaration of Lawrence Klein, dated April 7, 2023, with exhibits, the accompanying Memorandum of Law and upon all pleadings and proceedings heretofore had herein, Defendant Arch Specialty Insurance Company (“Arch”), by its attorneys, Robinson & Cole LLP, will move this Court on a date and at a time set by the Court, before the Hon. Pamela K. Chen, at the United States District Courthouse for the Eastern District of New York, 225 Cadman Plaza East, Brooklyn, New York 11201, for an Order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure dismissing Plaintiffs’ Complaint in its entirety, with prejudice, for failure to state a cause of action upon which relief can be granted, and for such other and further relief as this Court deems just and proper.

**PLEASE TAKE FURTHER NOTICE** that, opposing papers, if any, are to be served on the undersigned, no later than April 21, 2023 and reply papers, if any, are to be served no later than April 28, 2023, pursuant to the Court’s Docket Text Order of March 21, 2023.

Dated: New York, New York  
April 7, 2023

By: /s/ Lawrence Klein  
Lawrence Klein

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